



US Army Corps
of Engineers
Baltimore District

NOTICE OF AVAILABILITY AND JOINT PUBLIC NOTICE



MDE

Maryland
Department of
the Environment

PUBLIC NOTICE DATE: 30 JUNE 2006

**Supplement to the Tiered Draft Environmental Impact Statement For The Proposed Masonville Dredged
Material Containment Facility, Baltimore, Maryland May 2006**

CENAB-OP-RMN (MPA/Masonville DMCF) 2006-63743

Wetlands License 06-WL-1653

Nontidal Wetlands Permit Application 06-NT-0193

And

**Modification of Department of the Army (DA) permit (CENAB-OP-RMN (MD MPA/HARBOR WIDE
DREDGING) 2004-60754-1 and Tidal Wetlands License No. 04-WL-0693**

PN06-37

Comment Period: May 19, 2006 to August 14, 2006

The Baltimore District of the U.S. Army Corps of Engineers (USACE) and Maryland Department of the Environment have received modification requests on Department of the Army (DA) permit (CENAB-OP-RMN (MD MPA/HARBOR WIDE DREDGING) 2004-60754-1 and on Tidal Wetlands License 04-WL-0693. The USACE is providing notice of availability of Supplement to the Draft Environmental Impact Statement for the Proposed Masonville Dredged Material Containment Facility pursuant to National Environmental Policy Act, Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344). The Maryland Department of the Environment (MDE) has received the request to modify Tidal Wetlands License No. 04-WL-0693 pursuant to Title 16 of the Environment Article, Annotated Code of Maryland (Wetlands and Riparian Rights).

APPLICANT: Harbor Development
Maryland Port Administration
2310 Broening Hwy.
Baltimore, MD 21224

PUBLIC HEARING: July 31, 2006
St. John Lutheran Church
226 Washburn Avenue
Baltimore, MD 21225

PUBLIC HEARING: Displays will be available at 6 pm. Representatives of the project team and the agencies listed above will be available to discuss points of interest. A formal presentation will begin at 7 pm that will include a description of the current project plans and the results of the draft impact analysis. The presentation will be followed by public testimony, which will be recorded. Time limits of 3 minutes per speaker may be set, depending upon turnout, to ensure that all interested parties have an opportunity to voice their views. All persons and organizations that have an interest in the Masonville DMCF are urged to participate.

DETAILED PROJECT BACKGROUND: The USACE was identified as the lead agency under the National Environmental Policy Act (NEPA) and received application for a Department of the Army permit for the proposed project. In accordance with the requirements of NEPA, USACE prepared a *Tiered Draft Environmental Impact Statement for the Proposed Masonville Dredged Material Containment Facility* (DEIS for the Masonville DMCF) and circulated it to the public on May 19, 2006 (Reference Notice of Availability May 19, 2006 <http://www.nab.usace.army.mil/Regulatory/PublicNotice/Masonville/06-63743.pdf>). In addition, on May 8, 2006, the USACE and MDE received a Joint Federal/State permit application for the proposed Masonville DMCF project. Subsequently, the USACE and MDE have received a request from the Maryland Port Administration to modify previously issued authorizations for harbor wide dredging and allow the use of 0.5 - 0.8 million cubic yards of sand

dredged from the Baltimore Harbor in the construction of the proposed Masonville DMCF. In order to accommodate this request, the previously authorized dredging depths must be increased from a maximum of 36 to 52 feet MLW, to a maximum depth of 54 feet MLW from its project at the Seagirt Marine Terminal to be used in the construction of the proposed Masonville DMCF. Detailed description of the proposed modifications and effects to the human environment are discussed in the supplement to the DEIS for the Masonville DMCF. All work is to be done in accordance with attached plans.

Consultations with State and Federal resource agencies are ongoing. Preliminary assessments indicate that no impacts to listed Rare Threatened and Endangered species or species managed under the Magnuson Stevens Fishery Conservation and Management Act are likely. Section 106 consultations with the State Historic Preservation Officer (SHPO) and National Park Service in accordance with the National Historic Preservation Act indicate that impacts to listed properties and landmarks are not likely. Further information is available in the Supplement to the DEIS and the DEIS.

The applicant must obtain any state or local permits that may be required. The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act. The USACE hereby requests that the MDE, Water Management Administration review the proposed discharges for compliance with the applicable water quality standards. The applicant has certified in their application that the proposed activity complies with, and will be conducted in a manner consistent with, the Maryland Coastal Zone Management Program.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which may reasonably be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal are considered, among these are conservation; economics; aesthetics; general environmental concerns; wetlands; cultural values; fish and wildlife values; flood hazards; floodplain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water and air quality; hazardous, toxic, and radioactive substances; threatened and endangered species; regional geology; aesthetics; energy needs; food and fiber production; safety; environmental justice; cumulative impacts; and the general needs and welfare of the public.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of the Section 404 of the Clean Water Act.

The USACE and the Maryland Department of the Environment (MDE) are soliciting comments from the public, Federal, State, and local agencies and officials, and all other interested parties in order to evaluate the impacts of these proposed activities. Any comments received will be considered by the USACE and MDE to determine whether to issue, issue with conditions, or deny a permit or license for this proposal. To make this decision, comments are used to assess impacts on all of the resources listed above. Comments will be used in the preparation of the Final EIS pursuant to the NEPA. Comments are also used to determine the overall public interest of the proposed activity.

Comments must be received on or before August 14, 2006, to ensure consideration in final plan development. Due to the preparation of the supplement, an additional public hearing will be held for the Masonville DMCF DEIS. It will be held on July 31, 2006 at St. John Lutheran Church, 226 Washburn Avenue, Baltimore, Maryland 21225 The hearing will begin at 7 pm. Displays and representatives of the project team and the agencies listed above will be available at 6 pm to discuss points of interest. The hearing will provide an opportunity for the public to present oral and/or written comments. All persons and organizations that have an interest in the Masonville DMCF are urged to participate in the meeting.

If you have any questions concerning this matter or would like to submit written comments on the DEIS, please contact: Mr. Jon Romeo ATTN: CENAB-OP-RMN P.O. Box 1715 Baltimore, MD 21203 U.S. Army Corps of Engineers-Baltimore District Phone: 410-962-6079 e-mail: jon.romeo@usace.army.mil. Questions or comments pertaining to the tidal waters in Maryland Tidal Wetlands Application 06-WL-1653 or Tidal Wetlands Application 04-WL-0693 and the associated permits for this project should be directed to: Maryland Department of the Environment Water Management Administration Attn: Robert Cuthbertson 1800 Washington Blvd. Baltimore, MD 21230 Phone: (410) 537-3845 Questions or comments pertaining to the non-tidal waters in Maryland and Nontidal Wetlands Permit Application 06-NT-0193 should be directed to: Maryland Department of the Environment Water Management Administration Amanda Sigillito 1800 Washington Blvd. Baltimore, MD 21230 Phone: (410) 537-3766. Arrangements for hearing impaired or non-English speaking attendees may be made with Mr. Romeo or Ms. Lindley and must be received by July 25, 2006. To the extent possible and feasible, an interpreter will be provided. Ms. Stephanie Lindley may be contacted at Maryland Environmental Service 259 Najoles Rd Millersville, MD 21108 Phone: (410) 729-8337

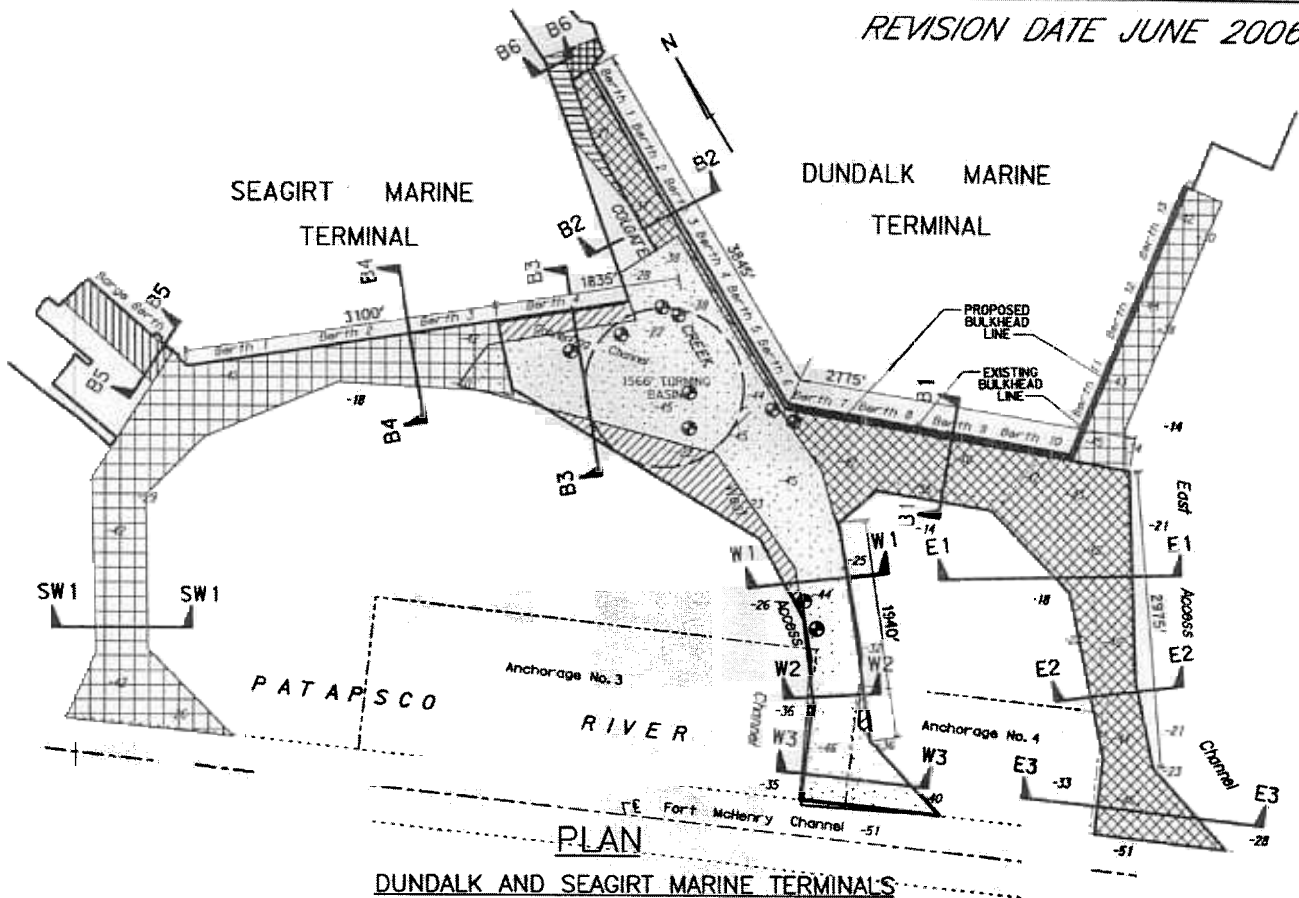
Your comments must be contained in the body of your message; please do not send attached files. Please include your name and address in your message. You may view the Supplement to the Draft EIS and Draft EIS for the Masonville DMCF and proposed work descriptions, proposed plans, and related information on the USACE web page at http://www.nab.usace.army.mil/Regulatory/public_notices.htm. USACE has distributed copies of the Draft EIS for the Masonville DMCF and supplement to appropriate members of Congress, State, and local government officials, Federal agencies, and other interested parties. Copies are also available for public review at the following locations:

- (1) Enoch Pratt Free Library, 400 Cathedral St., Baltimore, MD 21201-4484
- (2) Enoch Pratt Free Library, Cherry Hill Branch, 606 Cherry Hill Rd, Baltimore, MD 21225
- (3) Enoch Pratt Free Library, Brooklyn Branch, 300 E. Patapsco Ave, Baltimore, MD 21225
- (4) Baltimore County Public Library, Essex Branch, 1110 Eastern Blvd, Baltimore, MD 21221
- (5) Baltimore County Public Library, North Point Branch, 1716 Merritt Blvd, Dundalk, MD 21222

The public comment period ends on August 14, 2006, The USACE will consider all comments received, and the Draft EIS will be revised as appropriate and a Final EIS will be issued.

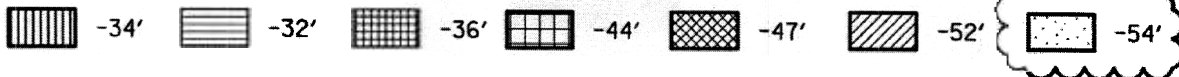
It is requested that you communicate the above information concerning the proposed work to any persons known to be interested who did not receive a copy of this notice.

REVISION DATE JUNE 2006



0 500 1000 2000
GRAPHIC SCALE IN FEET

PROPOSED DREDGING



NOTES:

- APPROXIMATELY 6,800,000 CY (413 ACRES) OF SILT, MUD, CLAY AND SAND TO BE DREDGED BY CLAM SHELL METHOD AND DISPOSED OF AT HART-MILLER ISLAND, COX CREEK OR MASONVILLE

PROPOSED DEPTHS:

EAST ACCESS CHANNEL TO -47'
DMT BERTHS 1 THRU 3 TO -47'
DMT BERTHS 4 THROUGH 6 TO -54'
DMT BERTHS 7,8,9 & 10 TO -47'
DMT BERTHS 11 THRU 13 TO -44'
DMT BARGE BERTH TO -34'
DMT WHARFSIDE CHANNEL IN COLGATE CREEK TO -32'
DMT NORTH OF BERTH 1 TO -36'
SMT BERTH 4 TO **-54'**
WEST ACCESS CHANNEL TO **-54'**
WEST SMT ACCESS CHANNEL TO -44'
- SOUNDINGS ARE IN FEET AND REFER TO MEAN LOW WATER (MLW) BALTIMORE CITY DATUM (0.0')

PURPOSE:

WIDEN AND DEEPEN BERTHING AREAS AND ACCESS CHANNELS
COLLECT SEDIMENT FOR ANALYSIS

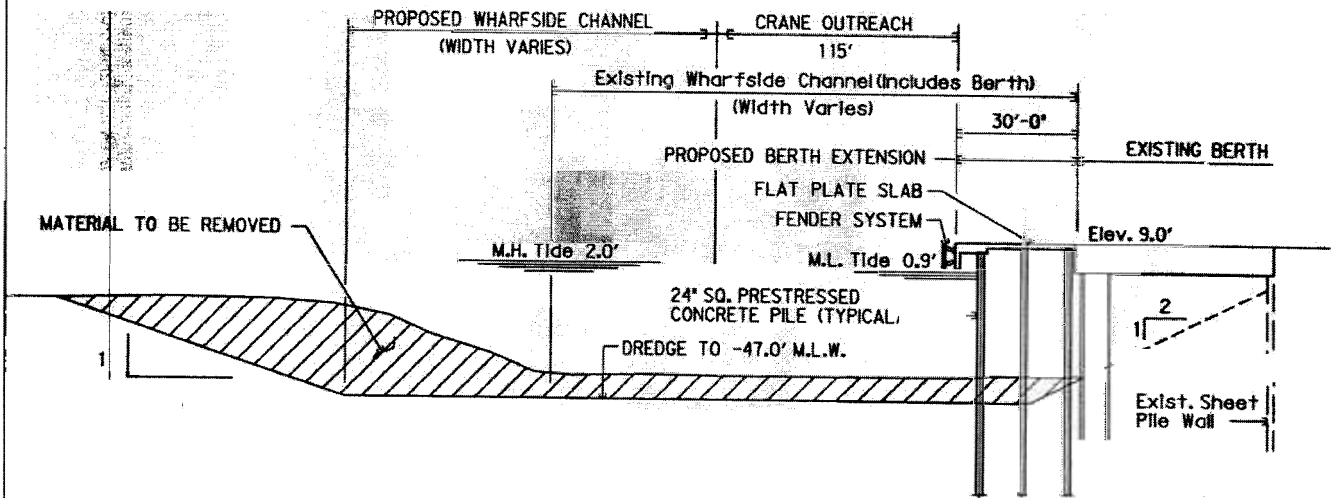
LEGEND

-23 Existing Water Depth
--- Existing Channel Line
- - - New Channel Line
--- Existing Anchorage
● Sampling Location

**PROPOSED DREDGING
IN
PATAPSCO RIVER**

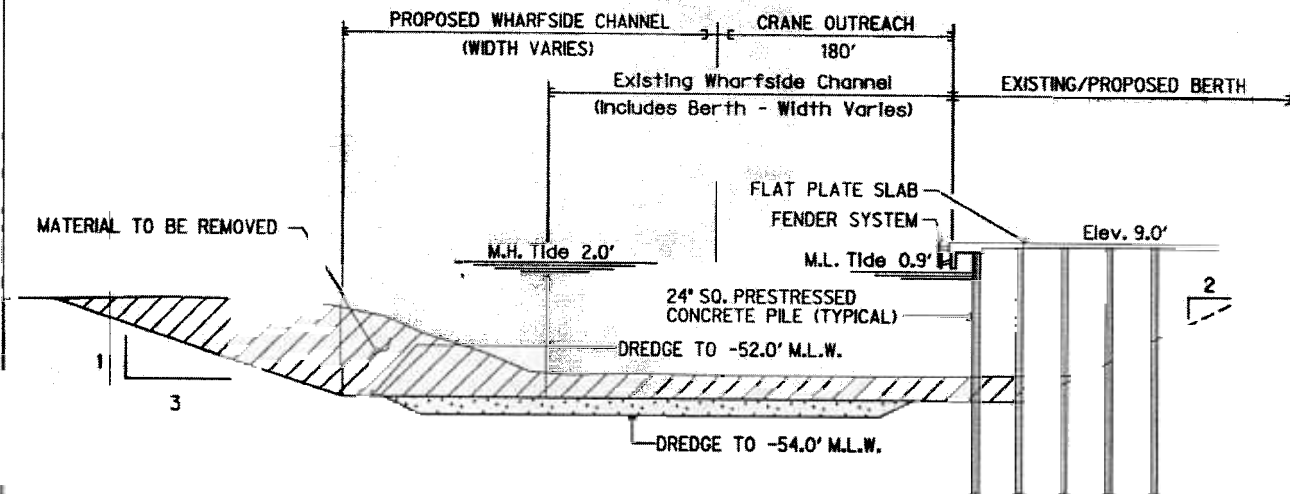
BALTIMORE HARBOR, MARYLAND
APPLICATION BY:
MARYLAND PORT ADMINISTRATION
MARITIME CENTER AT POINT BREEZE
2310 BROENING HIGHWAY
BALTIMORE, MARYLAND 21224
DATE: JUNE 2006 SHEET 5 OF 19

REVISION DATE JUNE 2006



SECTION B2- DUNDALK BERTHS 1 THRU 3

Not To Scale



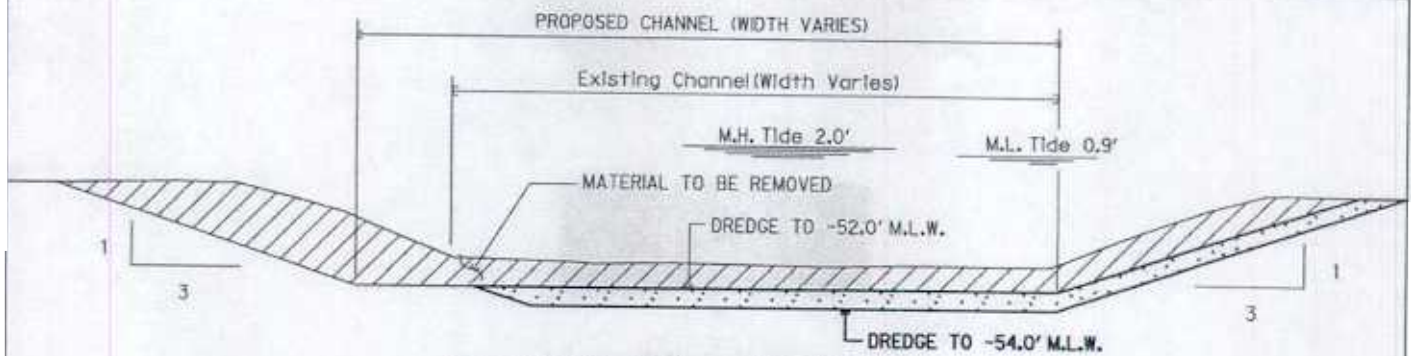
SECTION B3 - SEAGIRT BERTH 4

Not To Scale

TYPICAL SECTIONS

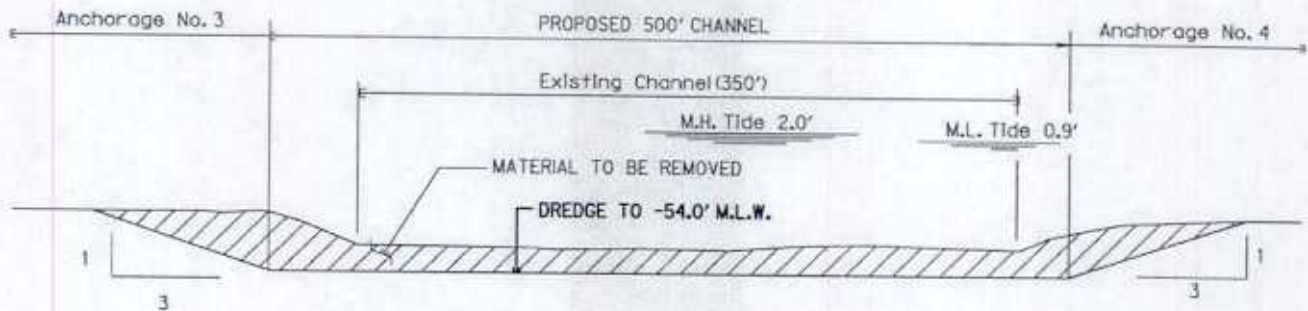
BERTHING AREAS
DUNDALK/SEAGIRT MARINE TERMINALS

REVISION DATE JUNE 2006



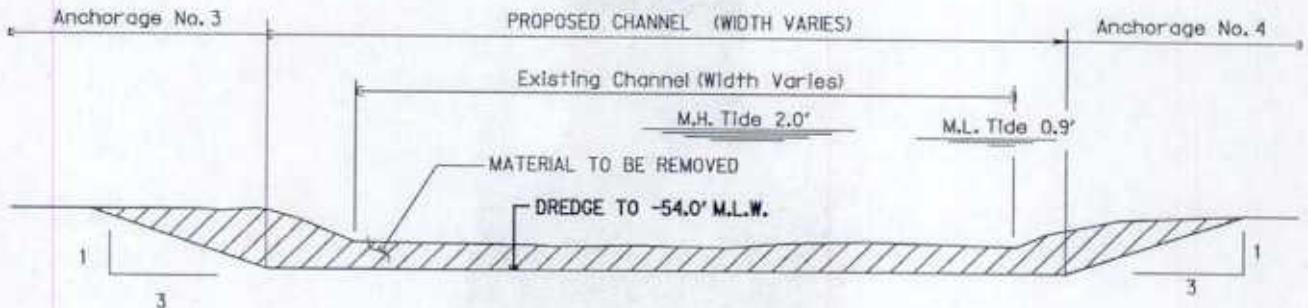
SECTION W1 - NORTH

Not To Scale



SECTION W2 - MIDDLE

Not To Scale

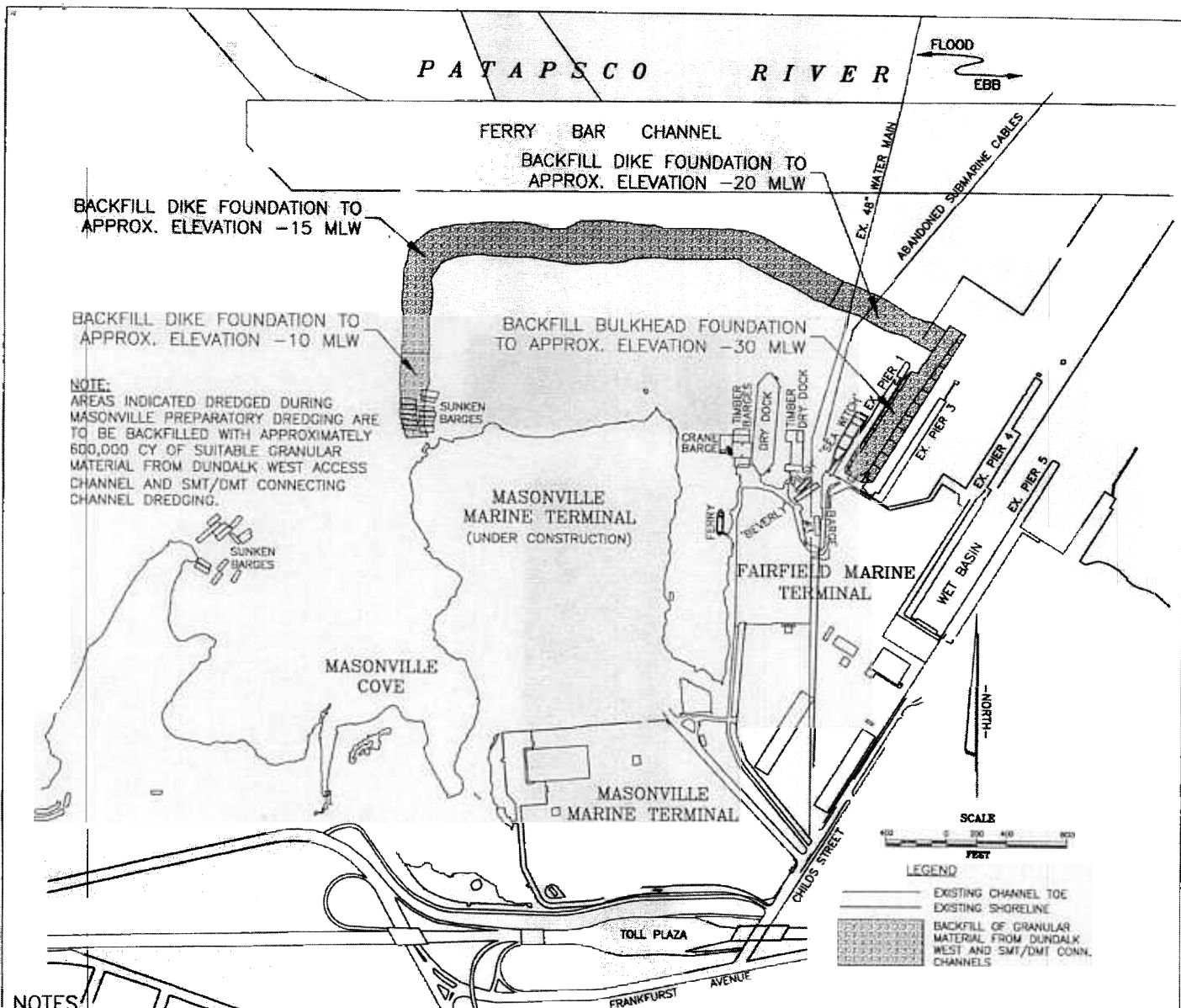


SECTION W3 - SOUTH

Not To Scale

TYPICAL SECTIONS
WEST ACCESS CHANNEL
DUNDALK MARINE TERMINAL

PROPOSED DREDGING
IN
PATAPSCO RIVER
BALTIMORE HARBOR, MARYLAND
APPLICATION BY:
MARYLAND PORT ADMINISTRATION
MARITIME CENTER AT POINT BREEZE
2310 BROENING HIGHWAY
BALTIMORE, MARYLAND 21224
DATE: APR 2000 SHEET 11 OF 18



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**PROPOSED DREDGING
IN
PATAPSCO RIVER**

BALTIMORE HARBOR, MARYLAND
APPLICATION BY:
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2310 BROENING HIGHWAY
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